

REMARKS

Claims 1-2, 5, 6, 8-10, 17-22, 25, 26, 28-50 are now pending in the application.

Applicant would like to thank the Examiner for the courtesies extended to applicant's representative during a telephone interview on April 22, 2005. During that interview, the Examiner indicated that the proposed amendments to Claim 1 would overcome the current rejection of this claim, but that these amendments may also necessitate further consideration. With regard to the other claims, arguments made by the applicant's representative during the interview are set forth below. Although agreement was not reached at that time, applicant believes these arguments traverse the Examiner's rejections. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-9, 11-23 and 25-29 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,446,809 (Fritz). This rejection is respectfully traversed.

It is believed that the originally filed claims are patentably distinct over this reference. Notwithstanding, independent Claims 1, 17 and 25 have been amended to more clearly define the features of the present invention. In addition, Claims 11-16 have been canceled from the present application. Therefore, it is respectfully submitted that Applicant's claimed invention defines patentable subject matter over Fritz. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

REJECTION UNDER 35 U.S.C. § 103

Claims 30-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fritz in view of applicant's admitted prior art. This rejection is respectfully traversed.

Claims 30 and 31 are directed generally to an architectural arrangement for a cross-connect switch that supports optical multiplexed signals having different bit rates. To do so, the cross-connect switch employs filters which partitions an optical multiplexed signal into two signals having different bit rates. Although the applicant concedes that these types of filters are known, the application fails to suggest that using such filters in the context of a cross-connect switch were known at the time of the present invention. On the contrary, applicant states that conventional cross-connect switches operate on a single bit rate, but it would highly beneficial if such switches could operate on optical signals having different bit rates (e.g., see [0003] of the specification). Therefore, Applicant respectfully asserts that this combination of references fails to teach or suggest the architectural arrangement for a cross-connect switch as recited in Applicant's claimed invention. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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